

# OKLAHOMA'S REALIZATION OF UTOPIA

## HOW SHE HAS PLANNED TO BENEFIT ALL CLASSES AND TO MAKE THE BALLOT BOX SUPREME

### Synopsis of Canadian Northwest HOMESTEAD REGULATIONS.

Any person who has been a resident of the Dominion of Canada for at least one year, and who is not a member of any family, or male over 18 years of age, or the owner of one-quarter section, of 160 acres, may apply for a homestead.

Application for homestead entry must be made in person by the applicant, or by the local Agent or Sub-Agent. Entry may be made by the local Agent or Sub-Agent on behalf of the applicant, or by the local Agent or Sub-Agent on behalf of the applicant, or by the local Agent or Sub-Agent on behalf of the applicant.

In case of "persecution" the entry will be made in person by the applicant, or by the local Agent or Sub-Agent.

An application for inspection must be made in person. The applicant must be eligible for homestead entry, and only one application for inspection will be received from an individual until that application has been disposed of.

A homesteader whose entry is in good standing, and not liable to cancellation, may, subject to approval of the Department, transfer it to his wife, mother, son, daughter, or other person, or to his or her estate, or to the estate of his or her spouse, or to the estate of his or her spouse, or to the estate of his or her spouse.

Where an entry is cancelled, or is voluntarily abandoned, or is subject to institution of cancellation proceedings, the applicant for inspection will be entitled to prior right of entry.

Applicants for inspection must state in what particular the homestead is in default, and if subsequently the statement is found to be incorrect in material particulars, the applicant will lose any prior right of re-entry unless the land becomes vacant, or the entry has been granted it may be summarily cancelled.

Duties—A settler is required to perform the conditions under one of the following plans—

- (1) At least six months' residence upon and cultivation of the land in each year during the term of three years.
- (2) If the father, mother, or the father is deceased, of a homesteader resides upon a homestead, the land entered for him or her, or the homesteader, the requirements as to residence may be satisfied by such person residing with the father or mother.
- (3) If the settler has his permanent residence upon farming land owned by him in the vicinity of his homestead, the requirements may be satisfied by residence on such land.

Before making application for patent the settler must give six months' notice in writing to the Commissioner of Dominion Lands at Ottawa, of his intention to do so.

### SYNOPSIS OF CANADIAN NORTH-WEST MINING REGULATIONS.

Coal—Coal mining rights may be leased for a period of twenty-one years at an annual rental of 10¢ per acre. Not more than 1,000 acres shall be leased to one individual or company. A royalty at the rate of five cents per ton shall be collected on the marketable coal mined.

Quartz—A person eighteen years of age, or over, having discovered mineral in place may locate a claim, 1,000 sq. ft. in size.

The fee for recording a claim is \$5.

At least \$100 must be expended on the claim each year or paid to the mining recorder in lieu thereof. When \$500 has been expended or paid, the locator may, upon having a survey made, and upon complying with other requirements, purchase the land at \$1 per acre.

The patent provides for the payment of a royalty of 1 1/2 per cent. on the sale.

Placer mining claims generally are 100 feet square, entry fee \$5, renewable yearly.

An applicant to obtain two leases at a dredge for gold of five miles each for a term of twenty years, renewable at the discretion of the Minister of the Interior.

The lessee shall have a dredge in operation within one season from the date of the lease for each five miles. Rental, \$10 per annum for each mile of river leased. Royalty at the rate of 1 1/2 per cent. collected on the output after it exceeds \$10,000.

W. W. CORY,  
Deputy of the Minister of the Interior.

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If Oklahoma isn't recognized, far and wide as the political Utopia of today, most of those who framed the constitution of the new state will experience pang of disappointment.

William Jennings Bryan called national attention to the document by declaring it even better than the constitution of the United States. The British ambassador, James Bryce, a close student of politics and forms of government, made a trip through the new commonwealth to learn public opinion regarding it.

Organized labor had much to do with framing it; so did the organized farmers' movement; Indian sentiment asserted itself; a little influence of the people reserve to themselves all the ages were at the command of the framers; theirs was the privilege of picking the best from all organic laws that man's wisdom has ever framed.

Little wonder, then, that the people of the nation awaited with interest the outcome, that they desire to learn just what the Oklahoma constitution makers considered the best—what structure of law they erected in order to boast to the world the birth of the modern political Utopia.

Over forty votes in the constitutional convention were cast for the organization of business by the Farmers' Educational and Co-Operative Union.

Powerful friends had the Indians in the body. William H. Murray, president of the convention, himself a "squawman," made the boast that the constitution gives more protection to the Indians than any other such instrument ever drawn.

Labor, too, was largely represented. Everything that the labor unions and the farmers' organizations asked for was granted, except the "recall," woman suffrage, the abolition of armed guards during strikes and the prohibition of bucket-shops.

From a political standpoint, the convention was heavily one-sided, being composed of 97 Democrats, 1 independent, and 13 Republicans.

Throughout the constitution as drawn, although it is generally believed that it will be ratified by the people.

Some of the clauses pointed out as objectionable are the disfranchising of soldiers, officers and marines of the United States army and navy, permitting a republican form of government; the division of counties in Oklahoma territory which were organized and established by act of Congress; the legislative and judicial apportionment, and the placing of the maximum levy for common schools at 5 mills.

The clause disfranchising the soldiers, officers and marines has already cost the territory of Oklahoma the honor of entertaining the Spanish-American War veterans in the constitutional convention adopted this clause, the executive committee of the union met in Washington and changed the place of the convention from Oklahoma City to Cedar Point, Ohio.

In addition to the rights guaranteed by the constitution of the United States and the constitutions of the various existing states, the bill of rights as adopted provides for trial by jury in contempt cases for violation of injunctions or orders of restraint. An opportunity to be heard must be given on all contentions before punishment is imposed.

Three-fourths of a jury may render a verdict in civil cases and also in criminal cases where the crime charged is less than felony. The grand jury system is not made mandatory, but the Legislature is given authority to enforce it if desired. Upon the trial of a person once convicted, a conviction cannot be had for a higher degree of a crime than at the first trial.

No person can be compelled to give evidence that tends to criminate himself, but witnesses may be compelled to testify against corporations, and are granted immunity from prosecution if their testimony incriminates themselves.

Records, books and files of all corporations shall be subject to full vicitorial and inquisitorial investigation, notwithstanding the immunities and privileges conferred by the bill of rights.

The truth of an alleged libelous matter is made a sufficient defence for criminal libel, and, if it appears to the jury that the matter was written or published from good motives,

and for justifiable ends, the defendant shall be acquitted.

The state is given permission to engage in any occupation or business for public purposes, except that agriculture can be carried on only for educational and scientific purposes.

Under the initiative and referendum feature the people reserve to themselves the power to propose laws and amendments to the constitution and enact or reject them at the polls, independent of the Legislature, and no amendments to the constitution shall be proposed by the Legislature from going into effect until the next general election, when the people may vote on whether or not the proposition which may come under supervision.

All railroads, oil and gas pipe, express, car, telephone and telegraph companies are given the right to construct lines through the state and connect with others at the state line. They are required to receive and transport each other's business without delay or discrimination.

Railroads are declared public highways, and every railroad company doing business in the state must maintain a public office in the state, where stock transfers and other corporate business may be transacted. Public service corporations and their officials are prohibited from consolidating with or owning stock in any competing corporation. No railroad company is to transport within the state any articles produced or owned by it, except such as are needed in the conduct of its business.

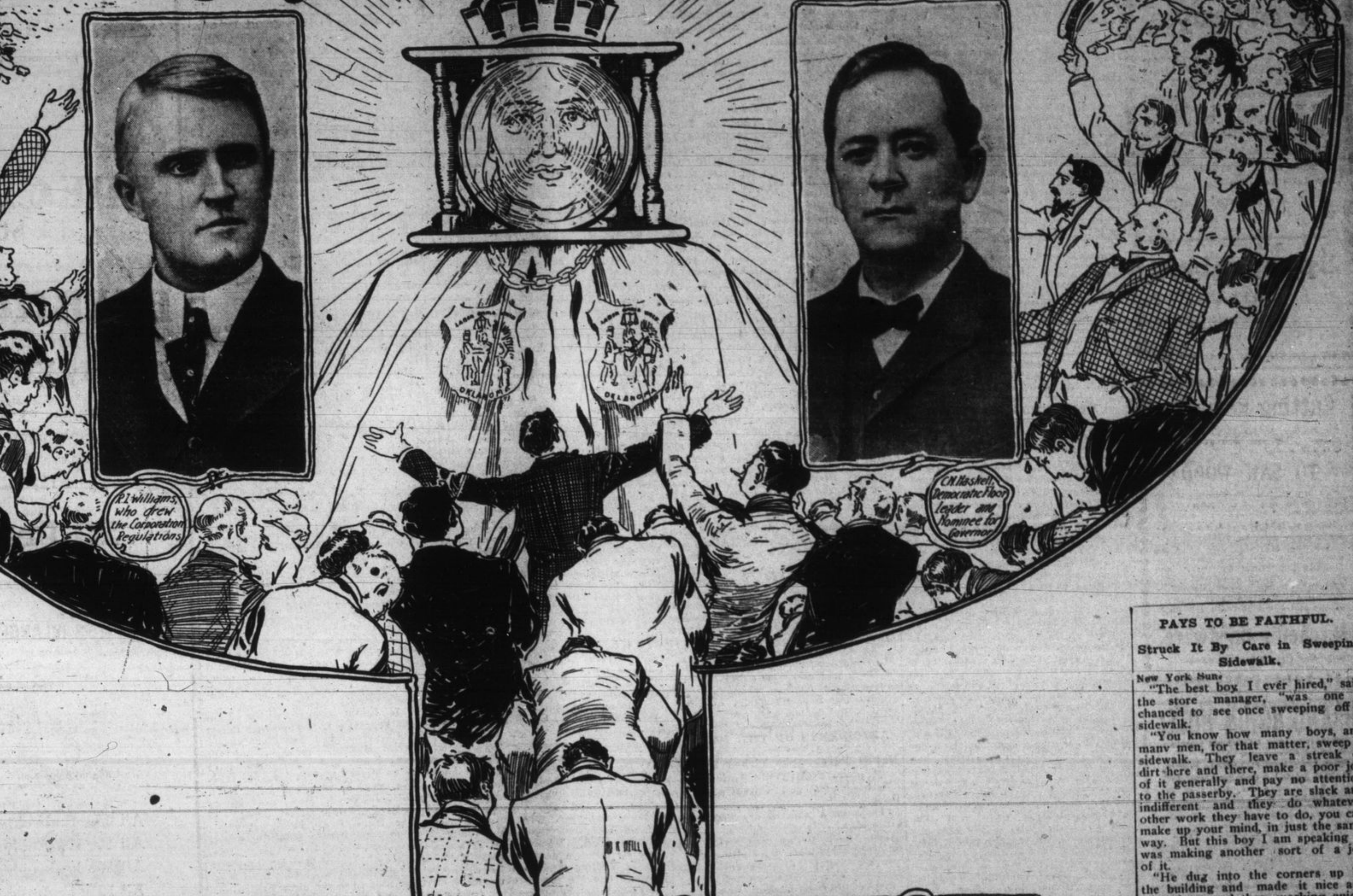
Giving of passes, except in the case of a few classes, is made a crime. The exemptions are those provided in the Hepburn federal rate bill, with the addition of fire departments and their equipment, when traveling as such. The commission is made a court of record, and has the final enforcement of any of its decisions relative to regulate and control all transportation and transmission companies, fixing rates and preventing extortion of discrimination, and has a right to inspect the books and papers of all companies under its control. Fines are provided for refusal to heed the commission's orders.

No railroad, except an electric line, is allowed to charge more than 2 cents a mile for passenger fares. The corporation commission may exempt any railroad from this provision upon satisfactory proof that it cannot earn a just compensation for services at that rate.

Campaign contributions by corporations are forbidden, and it is sought to prevent the issuance of watered stock by providing that no stock shall be issued except for money, labor done, or property actually received to the amount of the par value of the stock.

Discrimination between different sections of a commodity at a lower price in one place than the other, making allowance for transportation cost, is prohibited. Every license or charter for a mining company or public service corporation must contain a stipulation that the corporation must submit all differences with its employees to arbitration.

Separate but equal schools shall be provided for negroes and whites. The enabling act provides prohibition for the Indian territory section of the new state for twenty-one years, as protection for the Indians, and the question of making prohibition state-wide will be voted upon by the electors at the election when they will reject or ratify the constitution.



Wm H. Murray, President of Constitutional Convention; Henry L. Cloud, Cherokee Indian Delegate; Henry E. Asp, Republican Floor Leader; Judge J. H. Meney, Also Helped Frame Missouri's Constitution.

**A FREAK DUEL.**

Story of Affair of Honor That is Unique.

M. Augustin, of New Orleans, who afterwards became a district judge and general of the Louisiana Legion, was the victor in several encounters in which the temper of his period caused him to be engaged. One in particular is noteworthy on an account of the part it played in an extraordinary freak of fortune.

Alexander Grailhe was the offending party, though the insult (or rather provocation, for gentlemen seldom insulted) would in this day be of scant concern. But some cause of action was present, and each was sure that a deadly meeting would certainly follow. They rode together in a carriage with ladies, who, after the duel, commented on their mutual affability during the entire trip, which only served to show how delicately adjusted was the code of etiquette—especially in the presence of ladies.

They fought at "The Oaks," and as soon as the weapons had been crossed and the impressive "Allez, messieurs," pronounced, Grailhe, who was higher-strung and hot-blooded, fell so under the stress of what he regarded as a grievous provocation—lost his temper and furiously charged his antagonist. Augustin, on the contrary, was cool, collected and

agile, parrying each savage thrust, until by a temps d'arrêt (sudden pause), judiciously interpolated into a vicious lunge of Grailhe's, he pierced him through the chest. Grailhe, with one of his lungs perforated, remained for a long time hovering between life and death, and when at last he did come out of his room, he was bowed like an octogenarian.

It was now only a question of time for the wounded man, as an internal abscess had formed where it could not be reached—surgery then was not what it is now—and the doctors despaired of saving him. Some time after he had been up and about a quarrel with Colonel Mandeville de Marigny resulted in his challenging that distinguished citizen. This duel was also fought at "The Oaks," but self justice with a sword, the weapons chosen were pistols at 15 paces, and fire at will. At the first shot, fired simultaneously, the unfortunate man fell forward, pierced by his adversary's bullet, which had entered the exact place of his former and yet unhealed wound. Marigny, with pistol in hand, and as placid as a marble statue, advanced to the utmost limit marked out, when Grailhe, who was suffering greatly, exclaimed: "Fire again; you have another shot."

With grave dignity Marigny raised his pistol above his head and fired into the air, saying with frigid politeness: "I never strike a fallen foe."

More dead than alive the stricken duellist was carried home by his friends and consigned to the care of his physician; but instead of sinking rapidly, as was expected, he really began to mend, and by the following morning was much improved. The ball had penetrated to the abscess which had threatened his life, and made an exit for its poisonous accumulations. Some time afterward he walked out of his room as erect as ever, and soon regained his health and stately bearing—From an article in the Century Magazine.

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**PAYS TO BE FAITHFUL.**

Struck It By Cars in Sweeping Sidewalk.

New York Sun.

"The best boy I ever hired," said the store manager, "was one I chanced to see once sweeping off a sidewalk.

"You know how many boys, and many men, for that matter, sweep a sidewalk. They leave a streak of dirt here and there, make a poor job of it generally and pay no attention to the passerby. They are slack and indifferent—and they do whatever other work they have to do, you can make up your mind, in just the same way. But this boy I am speaking of was making another sort of a job of it.

"He dug into the corners up by the building and made it nice and trim there, and then, working quickly, too, without losing a minute's time, he swept the sidewalk absolutely clean; and at the same time had some thought for other people besides himself and some sense of responsibility. He was a worker and whatever else he had to do in just the same way.

"About three months after that we had occasion to hire another boy and, curiously enough, as it seemed to me, that boy applied for the job. He didn't need any other recommendation to me than the work I'd seen him doing, sweeping that sidewalk, and we hired him on the spot, and he's been with us ever since, advancing steadily.

"What? No, he isn't a partner yet, but he's getting on; and you can set it down as a simple fact that any boy you see making a good, square job of sweeping off a sidewalk will do well at anything he undertakes."